



Indiana Judicial Nominating Commission  
30 South Meridian Street  
Suite 500  
Indianapolis, IN 46204  
(317) 232-4706

**APPLICATION**  
**FOR THE**  
**INDIANA TAX COURT**

**(SEE INSTRUCTIONS)**

**Deadline – Monday, September 20, 2010**

I. Provide your:

A. Full legal name and any former names.

Bruce Robert Kolb

B. Current home and office addresses, including email addresses and telephone numbers.

Home:

Work : 100 North Senate Avenue, Indianapolis, IN 46204  
[bkolb@dor.in.gov](mailto:bkolb@dor.in.gov)  
317-232-2566

C. Date and place of birth.

February 15, 1965, DeKalb, Illinois

II. Complete a State Police release form printed on green paper. Include the release only with the original application and not with the copies.

III. Attach a recent photograph of you to the front of the original application and to each copy of your application.

IV. A. State in what county you currently reside and since what date.

Hamilton County, June 25, 1992

B. List all previous counties of residence, with dates.

Please See Appendix A

C. When were you admitted to the Indiana Bar?

November 19, 1990

D. Are you currently on active status?

Yes.

E. What is your attorney number?

15622-64

- V. A. List below all colleges and universities you attended other than law schools. Attach a certified transcript from each to the original application and attach copies of each transcript to each application copy. (If your social security number is on your transcripts, redact it before copying.)

<u>School</u>	<u>Dates Enrolled</u>	<u>Degree or Certificate</u>
Indiana University		
Kelley School of Business	8/1983-5/1987	B.S. in Business

Please See Appendix B for Transcripts

- B. List below all law schools and post-J.D. programs attended. Attach a certified transcript from each to the original application and attach copies of each transcript to each application copy. (If your social security number is on your transcripts, redact it before copying.)

<u>School</u>	<u>Dates Enrolled</u>	<u>Degree and Class Rank</u>
Valparaiso University		
School of Law	8/1987-5/1990	J.D. 62-103

Please See Appendix B for Transcripts

- C. Describe any academic honors, awards, and scholarships you received and when.

None.

- VI. A. Provide your employment history since graduation from college, including titles or positions, locations, and dates.

Please See Appendix C

- B. If applicable, describe the nature and extent of your practice of law, present and former, and provide the names of your partners, associates, office mates, and employers.

I have been an Attorney for the Indiana Department of Revenue for over 19 years. In that time I have dealt with virtually all of the listed taxes, penalties, and fees administered by the Department. For the past ten years I have been an Administrative Law Judge presiding over Charity Gaming issues and most recently Commercial Motor Vehicle issues as part of the Department's Motor Carrier Services Division. Below is a list of some of the Attorneys that I have worked with during my employment with the State of Indiana.

April Bruce	John P. Cook	John Gildea	Doug Klitzke
William Long	Larry Molnar	Dennis Pruitt	Mike Ralston
Jack Riggs	Robert Reel	Robert Robinson	Lena Snethen
William Tracy	Hon. Jose Salinas		

- C. Describe the extent of your jury experience, if any.

None

- D. If applicable, describe the nature and extent of your judicial experience, including a description of your experience presiding over jury trials, if any.

I have served as an Administrative Law Judge for the Indiana Department of Revenue for the past ten years, and hold hearings in accordance with Administrative Orders and Procedures Act.

- VII. A. If applicable, list by caption, case number, and filing date up to five of your trial or appellate briefs and/or written judicial opinions.

During my tenure with the Department of Revenue, I have written 288 Letters of Finding, 132 Commercial Drivers License opinions, 560 Certificate of Convenience and Necessity opinions, and 207 Oversize/Overweight opinions.

Attached are four (4) of my opinions issued as an Administrative Law Judge on August 6, 2002; March 4, 2003; September 27, 2006; and February 18, 2010 respectively. The captions and docket numbers have been redacted as they contain names, addresses, medical information, and license numbers. This information is

personal taxpayer information and is therefore confidential by statute. The full opinions are located in Appendix D.

B. If applicable, list up to five legislative drafts or court rules you have written or to which you contributed significantly. Refer to them by official citation, by date, and by subject matter.

Information Bulletin #19, 26 Ind. Reg. 2148 (March 1, 2003). Taxability of Government Obligations (dated Sept. 1991).

Ind. Code § 9-20-5-4 (1993), Listing of Extra Heavy Duty Highways.

45 Ind. Admin. Code 20-1-1 *et. seq.*, (Dec. 18, 2006). Quality Assessment on Health Facilities.

Proposed: 45 Ind. Admin. Code 18-3-7.1, 28 Ind. Reg. 623 (November 1, 2004). Charity Gaming and use of proceeds.

Proposed: 45 Ind. Admin. Code 20-1-1 *et seq.*, 28 Ind. Reg. 1500 (February 1, 2005). Concerning the conduct of charity gaming activities by qualified organizations licensed by the department of state revenue.

C. If applicable, list up to five of your contributions to legal journals or other legal publications. Provide titles, official citations, and a brief description of the subject matter.

None

D. Include with your application copies of any four of the written materials listed above in Section VII. A., B., and C. (An adequate sampling can usually be supplied in 75 pages or less.)

Please See Appendix D

E. Describe the nature and extent of any *pro bono* legal services you have contributed.

None.

F. Identify the five most significant legal matters entrusted to you whether as a judge or lawyer, and describe why you believe them to be so.

I have been an Attorney employed by the State of Indiana since passing the bar in November of 1990.

1. In 2000, I was given the title of Administrative Law Judge based upon my past ten years of experience with the Department of Revenue. Even though the Department is exempt from the Administrative Order and Procedures Act, following the procedures outlined in Ind. Code § 4-21.5 (1986) provided a means to develop a record for appeals of my decisions which would have been made to a local court of jurisdiction and not the Indiana Tax Court. It was an honor to be entrusted with the Department's most complex hearing matters.
2. I was asked by the Commissioner of the Department of Revenue to hold administrative hearings dealing with Charity Gaming appeals beginning in 2000. I continued to hold hearings until the Charity Gaming was transferred to the Indiana Gaming Commission in 2006. Holding these hearings gave me the opportunity to not only rule on the applicability of Indiana gaming law but allowed me the ability to educate the public as well.
3. I was also asked in 2000 to hold administrative hearings on Commercial Drivers License appeals which the Department of Revenue was responsible for according to a memorandum of understanding with the Bureau of Motor Vehicles. Each driver with a commercial motor vehicle license is required to pass a physical pursuant to 140 Ind. Admin. Code 7-3-6.5 (2008). This physical ensures that each driver meets the Federal Motor Carrier Services guidelines for driver safety set out in 49 CFR § 391.41 (2001). With each opinion I write, I am making Indiana roads safer for motorists.
4. In 2005, I began holding hearings on Certificate of Convenience and Necessity licenses pursuant to Ind. Code § 8-2.1-22 and 45 Ind. Admin. Code 16-1-1 to 16-5-1 (1988). These license applications are for businesses that transport medical patients. I must review each license to make sure each business meets all the statutory guidelines and is safe. I am also called upon to hear protests of applications by licensed transporters located in the same jurisdiction.
5. Finally in 2007, the Department began assessing civil penalties for violations of oversize and overweight permits pursuant to Ind. Code § 9-20-18-14.5 (2006). I have the responsibility of holding hearings on the civil penalty appeals. These penalties are the result of commercial carriers failing to acquire permits or hauling overweight or oversize loads that are dangerous to the public and cause damage to Indiana's infrastructure.

G. Provide the names, addresses, and telephone numbers of three attorneys who have been your professional adversaries in your practice or who have litigated substantial cases in your court and who would be in positions to comment on your qualifications for appointment to the Indiana Tax Court.

Norman R. Garvin  
Scopelitis, Garvin, Light, Hansen & Feary  
10 W. Market Street  
Suite 1500  
Indianapolis, IN 46204

(317) 637-1777

Collin G. Davis  
Motor Carrier Services Attorney  
State of Indiana  
Department of Revenue  
Indiana Government Center North  
100 N. Senate Ave., Room N248  
Indianapolis, IN 46204  
(317) 615-7318

Richard T. Trettin  
Ittenbach, Johnson, Trettin & Koeller  
6350 North Shadeland Ave.  
Suite 4  
Indianapolis, IN 46220  
(317) 842-5235

- VIII. A. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) toward the improvement of the law, the legal system, or the administration of justice.

I wrote an article dated August 24, 2001 regarding raffles that were being held at Civil War Reenactments. The title of the article was, The Hidden Pitfalls of Reenactment Raffles.

In April of 2002, I spoke to the Central Indiana Community Foundation on Indiana Charity Gaming, The Current Laws, Regulations, and Procedures.

On August 19, 2009, I spoke to the Indianapolis Bar Association Women and the Law Section on the topic of Persuading Judges: Tips for Lawyers.

- B. Describe your efforts, achievements, or contributions (including written work, speeches, or presentations) concerning civic, political, or social issues.

For the Bicentennial of Abraham Lincoln's birth, I contacted the Governor's office and authored a proclamation signed by the Governor proclaiming February 12, 2009 as Abraham Lincoln Day in the State of Indiana (Please See Appendix E).

On Tuesday, March 2, 2010, I provided Abraham Lincoln relics for display in the Indiana Supreme Courtroom during the Indiana Supreme Court CLE event Jesse W. Weik: The Young Indiana Lawyer Who Made Herndon's Lincoln Possible. (Please See Appendix E).

In 2009, I also participated in a project sponsored by the Indiana State Bar titled Why Lincoln Was a Lawyer!, and shared my collection of Abraham Lincoln

relics with local grade school students while talking about Lincoln's life and his love for the law.

- C. List any memberships and offices you have held in civic or charitable organizations, including dates and descriptions of the purposes of the organizations and of your involvement.

Camp Commander, Sons of Union Veterans of the Civil War (SUVCW)  
2002-2003

Department Commander, Sons of Union Veterans of the Civil War (SUVCW)  
2006-2008

Adjutant, 2<sup>nd</sup> Lt. Co. D., 27<sup>th</sup> Indiana Infantry Sons of Veterans Reserve (SVR)  
commission expires March 16, 2012.

Please See Appendix F for a description of the purposes of the above referenced organizations.

- D. List any memberships and offices you have held in professional organizations, including dates and descriptions of the purposes of the organizations and of your involvement.

None

- E. List any memberships you hold in social clubs or organizations. If any restrict its membership on the basis of race, sex, religion, or national origin, please describe your efforts within the organization to eliminate restrictions.

None

- F. Indicate your experience teaching law, and provide the dates, names of institutions or programs, and a description of the subject matter taught.

None

- G. Describe your hobbies and other leisure activities.

I am a Civil War Reenactor and portray a soldier of the 11<sup>th</sup> Indiana Volunteer Infantry. I attend approximately six (6) reenactments around the country each year. I collect Egyptian antiquities and Americana. I have a keen interest in collecting Abraham Lincoln, American Flags, and Indiana History memorabilia. I also enjoy playing golf.

- IX. A. Provide names, addresses, and telephone numbers of three professional references other than those listed in Section VII. G.

Fred L. Schaefer

Schaefer & Schaefer  
111 Monument Circle  
Suite 892  
Indianapolis, IN 46204  
(317) 634-5297

John P. Cook  
John P. Cook & Associates  
900 W. Jefferson Street  
Franklin, IN 46131  
(317) 738-3007

Robert E. Robinson  
7078 Washington Blvd.  
Indianapolis, IN 46220  
(317) 253-8697

- B. Provide names, addresses, and telephone numbers of three personal references other than those listed in VII. G.

Hon. Senator Luke Kenley  
District 20  
200 West Washington Street  
Indianapolis, IN 46204  
(317) 232-9400

Lt. Mike Beck  
Training Officer  
Indiana Law Enforcement Academy  
P.O. Box 313  
Plainfield, IN 46168  
(317) 837-3276

Tim Beckman  
Environmental Manager  
Indiana Department of Environmental Management  
Office of Water Quality  
Assessment and Planning Branch Survey Section  
100 N. Senate Ave.  
MC65-40-2 Shadeland  
Indianapolis, IN 46204  
(317) 308-3195

- C. List any lawsuits or legal proceedings in any jurisdiction, including bankruptcies and dissolutions, to which you have been a party. Provide dates, case numbers, names of other parties, and, if needed, a brief explanation.

None

- D. If you ever have been arrested or cited for any violation of the law other than for routine traffic violations, provide dates, jurisdictions, and an explanation of the event and its resolution.

No

- E. If you are or have been a member of the Bar of any other state, identify the jurisdiction and provide dates.

No

- F. If you have been disciplined or cautioned, formally or informally, by the Indiana Supreme Court Disciplinary Commission, by the Indiana Commission on Judicial Qualifications, by the Indiana Supreme Court, or by similar entities in any other jurisdiction, identify each instance by date, case number if applicable, and describe the circumstances and the nature of the outcome or resolution.

None

- G. If you have any outstanding federal, state, or local tax obligations, please itemize and explain.

No

- X. A. Attach a recent statement from your physician describing your general physical condition.

Please See Appendix G

9/10/2010  
DATE

Bruce R. Kolb  
APPLICANT'S SIGNATURE

Bruce R. Kolb  
PRINTED NAME

## WAIVER AND STATEMENT OF CONSENT

The undersigned applicant authorizes the release to the Indiana Judicial Nominating Commission or its staff or agents any records, reports, and documents, whether or not otherwise confidential, which may be requested by the Commission in the performance of its evaluations of candidates pursuant to I.C. § 33-27-3-2. The scope of this authorization extends to, but is not necessarily limited to, requests from the Commission for Federal, State or local tax records, criminal and driving histories from any jurisdiction, attorney and judicial disciplinary records from any jurisdiction, whether pending or closed, and credit reports and histories. The undersigned releases and discharges the Judicial Nominating Commission, its individual members, its employees, agents and representatives, the Indiana State Police, the Indiana Department of Revenue, the Indiana Supreme Court Disciplinary Commission and any other agency or person or their agents or representatives providing information to the Commission from any and all liability arising from the furnishing and use of information concerning the undersigned applicant.

The undersigned agrees and understands that the Indiana Judicial Nominating Commission or its members, agents, or employees, may interview or otherwise consult with members of the legal, judicial, and general community concerning the professional qualifications and the integrity of the applicant, that the name of the applicant will be released by the Commission upon its receipt of the application and this waiver, and that if, pursuant to I.C. § 33-27-3-2(d), the applicant is given further consideration as a candidate after the Commission's initial screening of candidates, or if no such screening occurs and all applicants are considered, the application will be made public. This waiver does not constitute an election by the applicant pursuant to I.C. § 33-27-3-2(g)(3)(C) to authorize the release of investigatory records which are excepted from public inspection pursuant to I.C. § 33-27-3-2(g)(1) and (2).

The undersigned agrees to immediately supplement this application upon any event or circumstance substantially affecting any answer provided in the application.

The undersigned acknowledges having read the Instructions attached to the application.

The undersigned agrees to resign from office or membership in any political organization upon submission of this application.

The undersigned affirms that, if nominated by the Judicial Nominating Commission to the Governor and thereafter appointed to this judicial office, the candidate will accept the appointment.

9/10/2010  
DATE

Bruce R. Kolb  
APPLICANT'S SIGNATURE

Bruce R. Kolb  
PRINTED NAME